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16 *Cung Le, Nathan Quarry, Jon Fitch, Luis Javier Vazquez,*
17 *Brandon Vera and Kyle Kingsbury*

18
19 **UNITED STATES DISTRICT COURT**
20
21 **DISTRICT OF NEVADA**

22 **Cung Le, Nathan Quarry, Jon Fitch, Brandon**
23 **Vera, Luis Javier Vazquez, and Kyle**
24 **Kingsbury on behalf of themselves and all**
25 **others similarly situated,**

26 **Plaintiffs,**

27 **vs.**

28 **Zuffa, LLC, d/b/a Ultimate Fighting**
Championship and UFC,

Defendant.

Case No.: 2:15-cv-01045 RFB-(PAL)

DECLARATION OF MATTHEW S.
WEILER IN SUPPORT OF PLAINTIFFS'
MOTION FOR LEAVE TO LODGE
MATERIALS UNDER SEAL RE
OPPOSITION TO ZUFFA'S MOTION
FOR PARTIAL SUMMARY JUDGMENT
AS TO PLAINTIFF NATHAN QUARRY
ON STATUTE OF LIMITATIONS
GROUND

1 I, Matthew S. Weiler, declare and state as follows:

2 1. I am an attorney at the Joseph Saveri Law Firm, Inc., Co-Lead Counsel for the
3 Classes and Attorneys for Individual and Representative Plaintiffs Cung Le, Nathan Quarry, Jon
4 Fitch, Luis Javier Vazquez, Brandon Vera, and Kyle Kingsbury (collectively, "Plaintiffs") in the
5 related case, *Le et al. v. Zuffa, LLC*, Case No. 2:15-cv-01045-RFB-PAL (D. Nev.) (the "Related
6 Case"). I am a member in good standing of the State Bar of California, and have been admitted to
7 practice in this Court. I am over 18 years of age and have personal knowledge of the facts stated in
8 this Declaration. If called as a witness, I could and would testify competently to them.

9 2. I make this declaration in support of Plaintiffs' Motion For Leave To Lodge
10 Materials Under Seal. These documents are submitted in connection with Plaintiffs' Opposition to
11 Zuffa's Motion for Partial Summary Judgment As to Plaintiff Quarry on Statute of Limitations
12 Grounds.

13 3. The Exhibit numbers identified here are numbered to be consistent with the exhibits
14 to my declaration submitted in support of Plaintiffs' Opposition to Zuffa's Motion for Partial
15 Summary Judgment As to Plaintiff Quarry on Statute of Limitations Grounds.

16 4. Attached hereto is an un-redacted version of Plaintiffs' Opposition to Zuffa's
17 Motion for Partial Summary Judgment As to Plaintiff Quarry on Statute of Limitations Grounds. A
18 redacted public version will be filed immediately after this declaration is filed.

19 5. Attached as Exhibit 3 is a true and correct copy of excerpts from the deposition of
20 Marshall Zelaznik taken in this matter on February 8, 2017. Zuffa has designated testimony from
21 Mr. Zelaznik as "Confidential."

22 6. Attached as Exhibit 4 is a true and correct copy of a document bearing the Bates
23 label ZFL-0916483 through ZFL-0916485. Zuffa has designated this document "Confidential."

24 7. Attached hereto as Exhibit 6 is spreadsheet created at my direction that shows
25 royalties Zuffa received from the sale of videos of fights featuring Plaintiff Quarry for some months
26 in 2010, 2011, and 2014. Zuffa has designated the documents that were used to create this
27 spreadsheet, which are identified below, as "Confidential."

28 Doc ID	File Name / Subject	File	Doc Date
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		Ext	
1	ZFL-0955165	TUF-2014_4-30-15.xlsx	.xlsx 3/23/2015
2	ZFL-1131338	Sony Content.xlsx	.xlsx 3/23/2015
3	ZFL-1131339	Amazon content.xlsx	.xlsx 3/23/2015
	ZFL-1131340	XBOX content2.xlsx	.xlsx 3/23/2015
4	ZUF-00038466	VideoRoyalty.xls	.xls 1/5/2011
	ZUF-00044936	VideoRoyalty.xls	.xls 6/16/2011
5	ZUF-00044940	VideoRoyalty.xls	.xls 6/13/2011
	ZUF-00044944	VideoRoyalty.xls	.xls 6/9/2011
6	ZUF-00044948	VideoRoyalty.xls	.xls 6/7/2011
7	ZUF-00044954	VideoRoyalty.xls	.xls 5/31/2011
	ZUF-00044958	VideoRoyalty.xls	.xls 5/24/2011
8	ZUF-00044960	VideoRoyalty.xls	.xls 5/23/2011
	ZUF-00044972	VideoRoyalty.xls	.xls 5/18/2011
9	ZUF-00044974	VideoRoyalty.xls	.xls 5/18/2011
	ZUF-00044982	VideoRoyalty.xls	.xls 5/6/2011
10	ZUF-00044988	VideoRoyalty.xls	.xls 5/2/2011
	ZUF-00044996	VideoRoyalty.xls	.xls 4/27/2011
11	ZUF-00045000	VideoRoyalty.xls	.xls 4/26/2011
12	ZUF-00045002	VideoRoyalty.xls	.xls 4/24/2011
	ZUF-00045008	VideoRoyalty.xls	.xls 4/20/2011
13	ZUF-00045010	VideoRoyalty.xls	.xls 4/19/2011
	ZUF-00045016	VideoRoyalty.xls	.xls 4/14/2011
14	ZUF-00045018	VideoRoyalty.xls	.xls 4/13/2011
15	ZUF-00045020	VideoRoyalty.xls	.xls 4/12/2011
	ZUF-00045024	VideoRoyalty.xls	.xls 4/10/2011
16	ZUF-00045028	VideoRoyalty.xls	.xls 4/7/2011
	ZUF-00045032	VideoRoyalty.xls	.xls 4/5/2011
17	ZUF-00045044	VideoRoyalty.xls	.xls 3/28/2011
	ZUF-00045050	VideoRoyalty.xls	.xls 3/25/2011
18	ZUF-00045054	VideoRoyalty.xls	.xls 3/21/2011
19	ZUF-00045066	VideoRoyalty.xls	.xls 3/13/2011
	ZUF-00045086	VideoRoyalty.xls	.xls 3/1/2011
20	ZUF-00045088	VideoRoyalty.xls	.xls 3/1/2011
	ZUF-00045090	VideoRoyalty.xls	.xls 3/1/2011
21	ZUF-00045092	VideoRoyalty.xls	.xls 3/1/2011
	ZUF-00045102	VideoRoyalty.xls	.xls 2/21/2011
22	ZUF-00045114	VideoRoyalty.xls	.xls 2/15/2011
23	ZUF-00045118	VideoRoyalty.xls	.xls 2/9/2011
	ZUF-00045120	VideoRoyalty.xls	.xls 2/8/2011
24	ZUF-00045126	VideoRoyalty.xls	.xls 2/5/2011
	ZUF-00045128	VideoRoyalty.xls	.xls 2/4/2011
25	ZUF-00045132	VideoRoyalty.xls	.xls 2/3/2011
	ZUF-00045148	VideoRoyalty.xls	.xls 1/20/2011
26	ZUF-00045156	VideoRoyalty.xls	.xls 1/8/2011
27	ZUF-00045895	VideoRoyalty.xls	.xls 7/17/2011
	ZUF-00045940	VideoRoyalty.xls	.xls 6/15/2011
28	ZUF-00045951	VideoRoyalty.xls	.xls 6/3/2011

1	ZUF-00046209	VideoRoyalty.xls	.xls	5/26/2011
	ZUF-00046215	VideoRoyalty.xls	.xls	5/17/2011
2	ZUF-00046268	VideoRoyalty.xls	.xls	3/29/2011
	ZUF-00046270	VideoRoyalty.xls	.xls	3/23/2011
3	ZUF-00046274	VideoRoyalty.xls	.xls	3/14/2011
	ZUF-00046539	VideoRoyalty.xls	.xls	2/10/2011
4	ZUF-00049798	VideoRoyalty.xls	.xls	7/16/2011
	ZUF-00049800	VideoRoyalty.xls	.xls	7/15/2011
5	ZUF-00049806	VideoRoyalty.xls	.xls	7/11/2011
	ZUF-00049812	VideoRoyalty.xls	.xls	7/7/2011
6	ZUF-00050063	VideoRoyalty.xls	.xls	4/9/2011
	ZUF-00050067	VideoRoyalty.xls	.xls	2/9/2011
7	ZUF-00051305	VideoRoyalty.xls	.xls	4/7/2011
	ZUF-00051498	VideoRoyalty.xls	.xls	1/28/2011
8	ZUF-00051502	VideoRoyalty.xls	.xls	1/25/2011
	ZUF-00398848	Sony-Video-M-02-01-2011_UFC.xls	.xls	3/29/2011
10	ZUF-00398905	US-Sony-Video-M-01-01-2011_UFC.xls	.xls	2/28/2011
	ZUF-00401882	US-Sony-Video-M-04-01-2011_UFC.xls	.xls	5/9/2011
11	ZUF-00403133	VideoRoyalty.xls	.xls	7/26/2011
	ZUF-00404096	US-Sony-Video-M-01-01-2011_UFC.xls	.xls	2/25/2011
12	ZUF-00404475	Sony-Video-M-02-01-2011_UFC.xls	.xls	3/17/2011

13

14 8. Attached as Exhibit 14 is a true and correct copy of a document bearing the Bates
15 label ZFL-1843874 through ZFL-1843897. Zuffa has designated this document as “Confidential.”

16 9. Attached as Exhibit 15 is a true and correct copy of a document bearing the Bates
17 label ZFL-1236217 through ZFL-1236219. Zuffa has designated this document as “Confidential.”

18 10. Attached as Exhibit 18 is a true and correct copy of a document bearing the Bates
19 label ZFL-2490106 through ZFL-2490235. Zuffa has designated this document as “Confidential.”

20 11. Attached as Exhibit 19 is a spreadsheet that was created at my direction that
21 compiles sales of Getty Images photographs containing the image or likeness of Plaintiff Quarry for
22 some part of 2011. Zuffa has designated the documents that were used to create this spreadsheet,
23 which are identified below, as “Confidential.”

24

25	Doc ID	File Name / Subject	File Ext	Doc Date
	ZUF-00084503	UFC2 2011-06.xls	.xls	7/11/2011
26	ZUF-00084504	UFC1 2011-06.xls	.xls	7/8/2011
	ZUF-00298409	UFC2 2011-02.xls	.xls	3/8/2011
27	ZUF-00298410	UFC1 2011-02.xls	.xls	3/8/2011
28	ZUF-00298756	UFC1 2010-12.xls	.xls	1/12/2011

1	ZUF-00298757	UFC2 2010-12.xls	.xls	1/12/2011
	ZUF-00298759	UFC2 2011-01.xls	.xls	2/15/2011
2	ZUF-00298760	UFC1 2011-01.xls	.xls	2/4/2011
	ZUF-00298765	UFC2 2011-03.xls	.xls	4/18/2011
3	ZUF-00298766	UFC1 2011-03 (2).xls	.xls	4/18/2011
	ZUF-00298768	UFC1 2011-04.xls	.xls	5/18/2011
4	ZUF-00298769	UFC2 2011-04.xls	.xls	5/18/2011
	ZUF-00298771	UFC2 2011-05.xls	.xls	6/10/2011
5	ZUF-00298772	UFC1 2011-05.xls	.xls	6/8/2011

6 I declare under penalty of perjury and the laws of the United States that the foregoing is true
7 and correct and this Declaration is executed at San Francisco, California on March 24, 2017.

8
9 By: /s/ Matthew S. Weiler
Mathew S. Weiler